



The Florida Senate

Interim Project Report 2000-28

January 2000

Committee on Criminal Justice

Senator Ginny Brown-Waite, Chairman

EVALUATE THE DEPARTMENT OF JUVENILE JUSTICE'S DISTRICT BOUNDARIES AND THE SUFFICIENCY OF AUTHORITY PROVIDED TO DISTRICT MANAGERS

SUMMARY

During the 1999 Regular Session, legislation was passed requiring the Department of Children and Family Services (DCFS) to submit a reorganization plan, including a proposal to realign its 15 service districts (which are also used by the Department of Juvenile Justice [DJJ]) so that those boundaries are consistent with the 20 judicial circuit boundaries, to the Governor and Legislature by January 1, 2000. An amendment to make this legislation applicable to the DJJ was adopted by the Senate, but failed to pass in the House of Representatives.

In studying the issue and surveying interested stakeholders, the obvious logistical coordination problems among DJJ managers, judges, prosecutors, public defenders, and other court-related personnel occur in districts that either have multiple circuits nested within them or in circuits that contain multiple districts. Although the juvenile justice system has been functioning in this fashion for some time now, it has been found to be undesirable for the efficient and effective operation and administration of the juvenile justice system. Much confusion and inefficiency results among all of the juvenile justice stakeholders when inconsistent boundaries exist among multiple circuits and districts.

The secretary for the DJJ is proposing a major reorganization based upon the department's four primary areas of responsibility: prevention, detention, residential/correctional facilities, and probation and community corrections. The existing 15 districts would be eliminated and instead, the department would have three regions in North, Central, and South Florida. The evolving plan also includes having 20 DJJ circuit managers to administer and implement local concerns, primarily in the areas of probation and community corrections services and prevention. These managers would be responsible for geographical areas that would be consistent with judicial circuit boundaries.

Needless to say, it is premature at this time to know whether the Legislature will adopt and implement these reorganization plans. Either way, the Legislature should encourage the DJJ administration to:

- ▶ eliminate any organizational barriers among juvenile justice stakeholders, as well as with the DCFS, to ensure that these entities can be more effective in reducing juvenile crime, and
- ▶ take into account the strong sentiments reflected in survey responses that any proposed reorganization plan reflect the need to have significant local involvement by way of "empowered" district managers or "circuit liaisons" or whatever the proposed plan ultimately calls what is currently known as district managers.

BACKGROUND

The Department of Juvenile Justice was created by the Legislature in 1994 to administer the continuum of juvenile justice services in Florida. This role had previously been filled by the Department of Health and Rehabilitative Services (DHRS). Although the DJJ was formed as a criminal justice agency, administratively, it retained the same 15 service districts that had been established under the social service agency. Using the same district structure to provide services helped in making a smooth transition from one agency to the other since the DJJ was taking over responsibilities formerly handled by the DHRS.

However, using this current configuration of 15 juvenile justice districts has not been without logistical problems because the boundaries of the 15 districts are not contiguous with the boundaries of the 20 judicial circuits. The judicial circuits provide the geographical framework for operating the criminal justice system, which includes, in part, courts, state attorneys, and public defenders. There are several instances in which DJJ districts cut across an existing judicial circuit, resulting in circuit court judges, state attorneys, and public defenders having to coordinate with several

district managers. Similarly, when there are several circuits nested within a juvenile district, the DJJ district managers must coordinate with two or three sets of circuit courts, state attorneys, and public defenders.

During the 1999 Regular Session, the Legislature passed CS/SB 1902 which requires the DCFS to submit a reorganization plan, including a proposal to realign service districts so that those boundaries are consistent with judicial circuit boundaries, to the Governor and Legislature by January 1, 2000. Chapter 99-219, Laws of Florida. An amendment to make this legislation applicable to the DJJ was adopted by the Senate, but was later removed by the House of Representatives.

Additionally, under the current DJJ administrative structure, the authority of district managers to operate and manage local juvenile justice programs is limited to the extent that certain management decisions must first be approved by DJJ administrators in Tallahassee. As a result, delay in implementing management decisions at the local level has sometimes occurred and there have been some concerns raised regarding the sufficiency of the district managers' authority.

METHODOLOGY

Staff reviewed relevant information and data from the DJJ and DCFS relating to realignment and reorganization, along with monitoring these issues and meeting with interested parties. This also involved attending a Juvenile Justice Accountability Board (JJAB) meeting in Orlando in which the proposed reorganization of the DJJ was discussed. In addition, staff developed and distributed several different surveys and compiled those results to receive input about realignment and sufficiency of district managers' authority from DJJ district managers, superintendents, and regional chiefs, along with district board and county council chairpersons, members of the JJAB, judges, prosecutors, and public defenders. (The survey results are on file with the Senate Criminal Justice Committee in 510 Knott Building, Tallahassee, Florida.)

FINDINGS

DJJ District Realignment with Judicial Circuits

DJJ District Realignment Workgroup Findings

In January, 1998, a workgroup was formed by the former secretary of the DJJ to examine the existing

alignment of boundaries for juvenile justice districts in relationship to the judicial circuits, and to make recommendations for change, if found to be appropriate. The workgroup consisted of staff from DJJ's headquarters and services districts, along with chairpersons from selected district boards and local business partners. In May of that year, the workgroup issued its report, which essentially recommended realigning the boundaries in seven juvenile justice districts to coincide with the existing judicial circuit boundaries. Since the issuance of this report, there has been a change in administration at the DJJ and no direct action has been taken to implement this proposal.

The workgroup noted that the current boundaries of 7 juvenile justice districts correspond with the boundaries of 7 judicial circuits (District 1 and Circuit 14, District 5 and Circuit 6, District 9 and Circuit 15, District 10 and Circuit 17, District 13 and Circuit 5, District 1 and Circuit 10, and District 15 and Circuit 19). Two juvenile justice districts each contain two entire judicial circuits within their respective boundaries (District 7 contains Circuits 9 and 18, and District 11 contains Circuits 11 and 16). However, the remaining 6 districts have some combination of all or parts of a judicial circuit (District 2 contains Circuits 2, 14, and part of 3; District 3 contains parts of Circuits 3, 7, and 8; District 4 contains parts of Circuit 7, 8, and all of 4; District 6 contains part of Circuit 12 and all of 13; District 8 contains part of Circuit 12, and all of 20; and District 12 contains part of Circuit 7).

The current district/circuit configuration results in some juvenile justice managers having to coordinate with several judges, prosecutors, and public defenders (Districts 2, 3, and 4), as well as causing judges and attorneys to coordinate among several district managers (Circuit 7). Although the system has been functioning in this fashion, the workgroup members agreed that this situation is not desirable for the efficient and effective operation and administration of the juvenile justice system. It presents problems in coordination of services and resources.

The workgroup assessed the benefits and potential obstacles associated with realignment. The workgroup recognized that as a criminal justice agency, the DJJ needs to work closely with the judiciary, as well as other court-related offices such as prosecutors and public defenders. Some of the major benefits that were discussed to realigning the districts more closely with judicial circuits included the following: improvement of local planning and coordination with the court system; better resource management and facilitation of

interagency agreements; increased coordination and better relationships among the DJJ and the judiciary, state attorneys, public defenders, and court clerks; more consistent prosecution and enforcement of juvenile justice laws; more effective involvement of court-related partners with juvenile justice boards and councils; more consistency in data collection; and better utilization of existing technology within the court system.

The main anticipated obstacle discussed centered around future coordination of social services, such as dependency, mental health, and Medicaid services administered primarily through DCFS. However, after weighing these benefits and obstacles, the workgroup found that any potential problems related to changing the district lines would be outweighed by the anticipated benefits.

The workgroup noted that although a one-to-one relationship between each district and its corresponding judicial circuit would be the optimum situation, it recognized that this was not a viable option because of increased administrative costs. The workgroup tried to minimize the number of districts and counties that would be involved in making changes, while also keeping geographically contiguous areas together.

The workgroup's recommended proposal suggested making changes to seven of the districts' boundaries (2, 3, 4, 6, 8, 12, and 14). As a result of the proposal, ten of the 15 districts would be aligned with one corresponding judicial circuit and five districts would have two entire circuits contained within their boundaries; however, there would be no instance in which a district would cut across circuit lines. (A detailed breakdown of this proposal is on file with the Senate Criminal Justice Committee in 510 Knott Building in Tallahassee, Florida.)

DJJ District Alignment Survey Results

Staff distributed 189 realignment surveys to the following juvenile justice stakeholders: 93 juvenile court judges, 20 prosecutors, and 20 public defenders; 15 DJJ district managers, 2 superintendents, and 3 regional chiefs; and 8 members of the JJAB, 15 district board chairpersons, and 13 county council chairpersons. Out of this group, a total of 102 persons responded to the realignment survey. The public defenders, prosecutors, and judges represented a majority of the respondents (64 percent).

Major findings from the surveys are as follows:

Realignment Generally:

Over ninety percent of all the respondents thought the DJJ districts should be realigned, with the vast majority (93 percent) believing that the district boundaries should be consistent with the circuit boundaries.

"We are in alignment with the judicial circuit and cannot imagine having it any other way. There appears to be more accountability with the courts that way." (assistant public defender)

"We have only one DJJ district in our circuit. It works very well." (judge)

"It is far more efficient dealing with one DJJ office than in dealing with multiple ones. I am lucky to have only one district and our juvenile justice boards and councils have a unified presentation and perspective." (assistant public defender)

"The courts, state attorneys and public defenders are all aligned along judicial circuits. It would seem that doing the same with DJJ would help us work together for common purposes and make resource allocations more manageable." (judge)

"Our district is aligned with our circuit and the DCFS district. We can successfully resolve issues quickly by bringing together few players. This creates a better atmosphere for cooperation and teamwork among all juvenile agencies. Also, we are able to focus on grants to certain areas by consensus without having other areas complaining about their fair share." (prosecutor)

The bulk of judges, prosecutors, public defenders, and DJJ managers believed the districts should be realigned with judicial circuits, while a sizable number of district board and council chairpersons and JJAB members thought otherwise.

Continued Alignment with DCFS:

About two-thirds of the respondents believed that the DJJ districts should be aligned with the DCFS districts, although based on comments made by respondents, overall, it was more important to be realigned with the judicial circuits than to be aligned with the same DCFS districts.

Interestingly, the DJJ managers, regional chiefs, and superintendents were less likely than other stakeholders to support an alignment with the DCFS districts.

“The relationship with other criminal justice agencies is more critical than with the DCFS.”

“It is more important for DJJ to be aligned with its justice partners than DCFS.”

The vast majority of judges, prosecutors, and public defenders believed that DJJ districts should be aligned with the DCFS, possibly because their broad jurisdiction encompasses both agencies and based upon their responses, they believe youth served by both agencies come from the same general population and are often in need of overlapping services.

“If DJJ was realigned and DCFS was not, you may have dual cases where the delinquency case and the dependency case would be handled in two separate districts for the same case.”

DJJ respondents, on the other hand, frequently voiced opposition to being aligned with the DCFS, possibly reflecting their belief that their department lines up closer philosophically and has more in common with other criminal justice stakeholders in the juvenile justice system than with the DCFS, a social service agency.

“Realigning with circuits would follow a true criminal justice model versus a social service model.”

“While it might be ok, DJJ is a criminal justice agency not a social service agency and therefore it makes more sense for DJJ to be realigned with the circuits, not DCFS.”

Geographical Problem Areas Identified in Survey:

Respondents Make the Following Observations:

“Resources are different throughout the same circuit. The 7th judicial circuit has 3 DJJ districts.

There are waiting lists for commitment programs in 3 of the 4 counties. Volusia County gets a higher proportion of dollars for juvenile programs. Each DJJ district should be equivalent to a judicial circuit.” (judge)

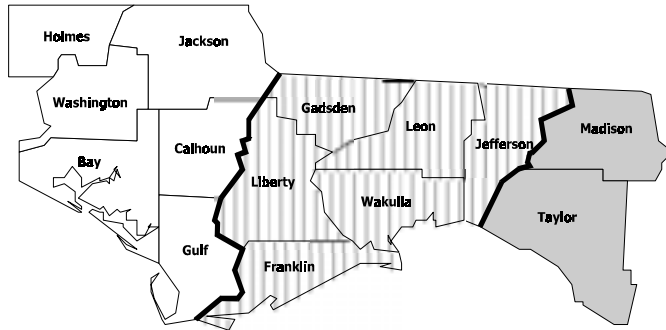
“I currently work in a circuit with two districts which is not in the best interest of the children serviced by DJJ. Often, confusion arises between counties and court personnel.” (assistant public defender)

“Our office must deal with two DJJ districts with different personnel and different programs. By supporting a DJJ grant in one district, it could adversely impact on grants for the other district. On policy matters with DJJ, our work is doubled.” (prosecutor)

As depicted in the following maps, the obvious logistical coordination problems among DJJ managers, judges, prosecutors, public defenders, and other court-related personnel occur in districts that either have multiple circuits nested within them or in circuits that contain multiple districts. For instance, Districts 2, 3, and 4 all contain three circuits within their individual boundaries, making it a challenge for those district managers to effectively coordinate with three different sets of circuit judges, prosecutors, and public defenders. Similarly, judges and other court-related professionals in Circuit 7 have a logistical hardship of coordinating among the three juvenile justice districts and the respective DJJ personnel contained within its boundaries.

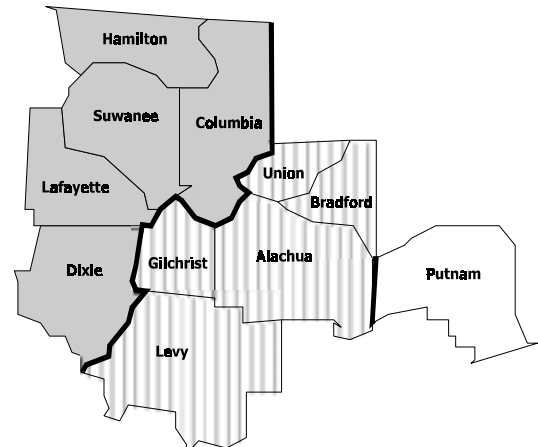
As pointed out earlier in the *DJJ District Realignment Workgroup Report*, although the juvenile justice system has been functioning in this fashion for some time now, the workgroup members found that this situation is not desirable for the efficient and effective operation and administration of the juvenile justice system. Much confusion and inefficiency results among all of the juvenile justice stakeholders when inconsistent boundaries exist among multiple circuits and districts.

Multiple Judicial Circuits Within A DJJ District



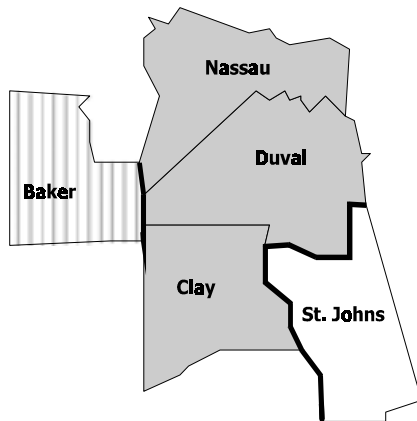
District 2

☒ Circuit 2
 ☒ Circuit 3
 ☐ Circuit 14



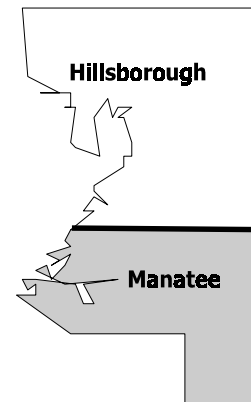
District 3

☒ Circuit 3
 ☒ Circuit 8
 ☐ Circuit 7



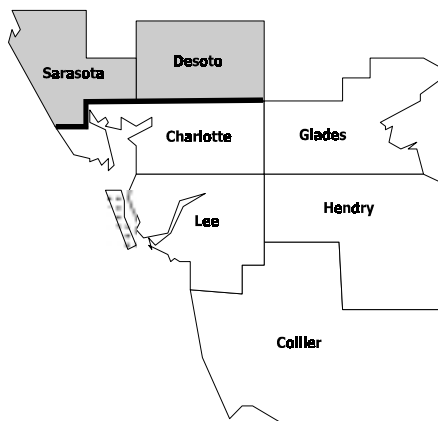
District 4

☐ Circuit 7
 ☒ Circuit 4
 ☒ Circuit 8



District 6

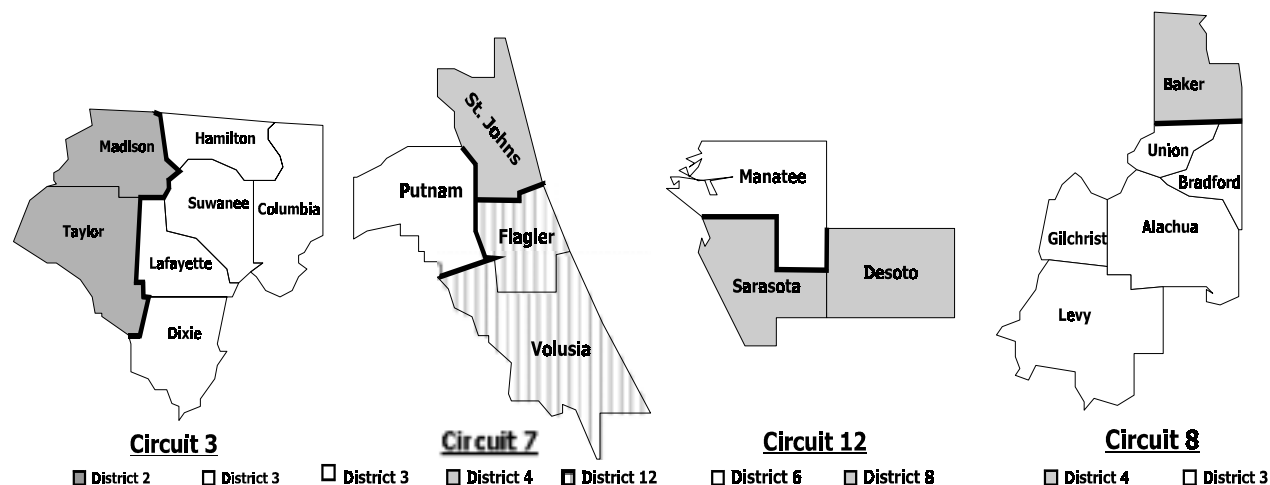
☒ Circuit 12
 ☐ Circuit 13



District 8

☒ Circuit 12
 ☐ Circuit 20

Multiple DJJ Districts Within A Judicial Circuit



Sufficiency of DJJ District Managers' Authority

District Managers' Authority Survey Results

Staff distributed 56 surveys related to the sufficiency of district managers' authority to the following juvenile justice stakeholders: 15 DJJ district managers, 2 superintendents, and 3 regional chiefs, 8 members of the JJAB, 15 district board chairpersons, and 13 county council chairpersons. Out of this group, a total of 38 persons responded to the survey.

Major findings from the surveys are as follows:

Policy Development:

According to the 15 district managers and DJJ superintendents surveyed, about one quarter reported that they are directly involved in "a lot" of policy development. Clearly, the majority of those surveyed reported either little or no involvement in policy development.

When these respondents were asked how satisfied they were with their involvement in policy development, over 46 percent reported being dissatisfied. Eighty percent reported that they believed they could be more effective if they had greater involvement in policy making.

Similarly, all of the 19 district board and council chairpersons as well as the JJAB members responding to the survey stated that the district managers should have greater involvement in the policy making process.

Personnel Matters:

DJJ district managers, superintendents, and regional chiefs reported that central office approval is required to hire, train, reprimand, terminate, or to give an employee a raise 60 percent to 90 percent of the time.

When these respondents were asked whether they were satisfied with their decision-making authority in personnel matters, almost 55 percent reported being dissatisfied.

Contracting Authority:

In the area of contracting, the DJJ respondents overwhelmingly reported that central office approval was required for procurement decisions. Central office approval was also required for determining services, selecting providers, determining contract terms and price, and executing the contract. Despite this, over 75 percent of the respondents were satisfied with their authority to contract.

While generally satisfied with contracting authority, over 70 percent of these respondents reported that they believed the district could operate more effectively if they were given more authority.

Interestingly, when asked how satisfied the district board and council chairpersons and JJAB members were with the district managers' authority to

contract for programming which meets the district's local needs, almost 55 percent reported being dissatisfied. Nine out of these 15 respondents said the district managers lacked sufficient authority and were dissatisfied.

Funding Decisions:

When asked about the districts' involvement in funding, most of the district managers, superintendents, and regional chiefs reported only "a little" direct involvement and influence in the funding decisions. Despite this minimal involvement, 80 percent of respondents reported that they believed that the districts could operate more effectively if the DJJ headquarters gave more consideration to local needs.

Communication with Headquarters:

When respondents were asked if they felt that decisions, policies, and procedures made by the central office were adequately communicated to them, over 46 percent said no.

Typical explanations included the following: there has been a breakdown in communication because of the transition of central office administration; there needs to be a clearer line of communication between central office divisions and up and down the chain of command; and there are many initiatives developed at central office and passed on to the districts without consideration of the workload issues and local program development.

General Comments:

Several district managers, as well as district board and council chairpersons felt that consideration should be given by the central office to expanding the regionalization of residential and detention services, while contracting locally for prevention/diversion services.

Another respondent stated that the department is an example of centralized authority with decentralized responsibility and suggested that consideration be given to placing an operations liaison in the district or regional offices rather than at headquarters to promote greater "hands-on" involvement in local issues.

Several respondents questioned the wisdom of separating programming and planning, and operations and suggested that this separation creates an internal barrier within the department to being more effective and better coordinated.

Monitoring DCFS and DJJ activities, including proposed reorganization

The DCFS has been submitting monthly status reports concerning its reorganization plans to the Governor and Legislature. The final plan does not have to be submitted to the Legislature and Governor until January 1, 2000. At the present time, the department is proposing to reduce the existing 15 districts to seven districts, which would be drawn primarily along judicial boundaries. What now are district offices would become "satellites," providing technical support for "community children and families alliances." The central office in Tallahassee would be the conduit for receiving federal and state funds, disbursing them, setting standards and overseeing the process.

Meanwhile, the secretary for the DJJ is proposing a reorganization based upon the department's four major areas of responsibility: prevention, detention, residential/correctional facilities, and probation and community corrections. The existing 15 districts would be eliminated and instead, the department would look to more of a regional plan consisting of three regions in North, Central, and South Florida. However, as the plan has evolved with continued input from the DJJ employees, boards and council chairpersons, law enforcement, prosecutors, judges, public defenders, and the JJAB members, it seems to also be taking into consideration the importance of having a liaison between the DJJ headquarters and local communities. In that vein, the department is considering having 20 DJJ circuit managers to administer and implement local concerns, primarily in the areas of community corrections services and prevention. These managers would be responsible for geographical areas that would be consistent with judicial circuit boundaries.

Of course, it remains to be seen whether these proposed reorganization plans by DCFS and DJJ will end up being compatible relative to having consistent boundaries with each other and with the 20 judicial circuits. It is also unknown at this time whether these plans will be accepted by the Governor and implemented by the Legislature.

RECOMMENDATIONS

1. The Legislature should encourage the DJJ, to the extent possible, to reduce or eliminate the number of judicial circuits that contain multiple DJJ districts or “whatever organizational configuration or jurisdictional boundary the DJJ proposes to replace districts with in the future” (recognizing that the evolving proposed DJJ reorganization plan could eliminate current districts as have commonly existed).
 - ▶ Ideally, the DJJ should eliminate instances in which districts cut across judicial circuit lines because this has the potential to significantly disadvantage the judiciary, along with other court-related juvenile justice professionals like prosecutors and public defenders.
 - ▶ Under no circumstances, should there be as many as three districts within one circuit (which currently exists within Circuit 7).
2. Similarly, the Legislature should encourage the DJJ to reduce the number of DJJ districts or “whatever organizational configuration or jurisdictional boundary the DJJ proposes to replace districts with in the future” that contain multiple circuits.
 - ▶ Under no circumstances, should there be more than two entire circuits nested within a single district (which currently exists within Districts 2, 3, and 4).
3. Recognizing the likelihood of a future reorganization, the Legislature should require the DJJ to serve and meet the needs of the 20 judicial circuits as reflected by 93 percent of the survey respondents by encouraging the DJJ to eliminate any organizational barriers among the juvenile justice stakeholders, as well as with the DCFS, so that they can be more effective in reducing juvenile crime.
4. The Legislature should also encourage the administration in DJJ headquarters to take into account the strong sentiments reflected in the survey responses that any proposed reorganization plan reflect the need to have significant local involvement by way of “empowered” district managers or “circuit liaisons” or whatever the evolving proposed DJJ reorganization plan ultimately calls what is currently known as district managers.

COMMITTEE(S) INVOLVED IN REPORT *(Contact first committee for more information.)*

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MEMBER OVERSIGHT

Senators Silver and Bronson